

# ***NEWS RELEASE***

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## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

***San Diego, California***

***United States Attorney  
Carol C. Lam***

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***For Immediate Release***

### **NEWS RELEASE SUMMARY** - January 24, 2005

United States Attorney Carol C. Lam announced today that U.S. District Court Judge Barry Ted Moskowitz issued a ruling on January 21, 2005, holding that a U.S.-flagged vessel which obtains shark fins, but no shark carcasses, from foreign vessels on the high seas is a “fishing vessel” in violation of the Shark Finning Prohibition Act. The ruling paves the way for the forfeiture of the 64,695 pounds of shark fins seized from the KING DIAMOND II in August 2002. The shark fins are valued at \$775,000.

“Shark finning” means taking a shark, removing its fins, and throwing the rest of the shark back into the sea. The Shark Finning Prohibition Act was enacted in December 2000, to eliminate the wasteful and unsportsmanlike practice of shark finning, the Act makes it unlawful, “to have custody, control, or possession of any such fin aboard a fishing vessel without the corresponding carcasses.”

During the summer of 2002 the KING DIAMOND II, a U.S.-flagged vessel based in Honolulu, Hawaii, was chartered by a Hong Kong Company to rendezvous with approximately two dozen, primarily Korean-flagged fishing vessels at prearranged meeting points in the central Pacific Ocean. The KING DIAMOND II went from vessel to vessel on the high seas and purchased shark fins from each. The plan was

that when the KING DIAMOND II had a full load of shark fins, the fins were to be taken to Guatemala for resale.

On August 14, 2002, a United States Coast Guard law enforcement detachment boarded the KING DIAMOND II about 250 miles off the coast of Guatemala. Upon boarding the vessel, investigators discovered that the hold and working deck were filled with shark fins but found no shark carcasses. The KING DIAMOND II was detained and escorted to San Diego, California, where the shark fins were seized on August 23, 2002, by the National Oceanic and Atmospheric Administration, Office for Law Enforcement. A civil forfeiture action, United States v. Approximately 64,695 Pounds of Shark Fins, was filed on March 26, 2003. It was the first such action in the country brought for violations of the Shark Finning Prohibition Act. The fins of a shark represent about 5 percent of the total weight of the shark. The 64,695 pounds of fins, therefore, represent a catch of somewhere between 11,000 and 20,000 sharks which were stripped of their fins and thrown back into the ocean. The Shark Finning Prohibition Act was passed by Congress to end the practice of shark finning in waters subject to United States jurisdiction by vessels carrying any flag, and to end the practice of shark finning by U.S.-flagged vessels everywhere. A pertinent part of the law prohibits U.S.-flagged fishing vessels, such as the KING DIAMOND II, from possessing shark fins without shark carcasses.

According to United States Attorney Carol C. Lam, “The Shark Finning Prohibition Act provides critical protection for a biologically vulnerable species. We hope to eliminate the profit from the odious practice of the shark fin trade such as that which took place aboard the KING DIAMOND II during the summer of 2002.” U.S. Attorney Lam congratulated the National Atmospheric and Oceanic Administration, Office of Law Enforcement, for its outstanding work in this case.

**SUMMARY OF CASE**

United States v. Approximately 64,695 Pounds of Shark Fins  
Case Number: 03CV0594 BTM(LSP)

**CLAIMANT**

Tai Loong Hong Marine Products, Ltd.

**VIOLATION**

Possession of Shark Fins Without Corresponding Carcasses  
16 U.S.C. § 1857(1)(P)(ii) – Forfeiture